

ORDINANCE NO. 20090115-073

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT PECAN PARK BOULEVARD AT LAKE CREEK PARKWAY FROM DEVELOPMENT RESERVE (DR) DISTRICT ZONING TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from development reserve (DR) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-2008-0203, on file at the Neighborhood Planning and Zoning Department, as follows:

A 4.871 acre tract of land, more or less, out of the Elisha Allen Survey No. 2, Abstract No. 18, situated in Williamson County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as Pecan Park Boulevard at Lake Creek Parkway, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, the mixed use (MU) combining district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on January 26, 2009.

PASSED AND APPROVED

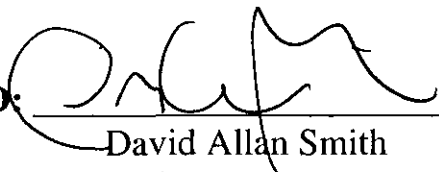
January 15, 2009

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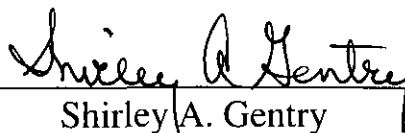
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

4.871 ACRES
ZONING TRACT GR-MU
TOWER 27, L.P.

EXHIBIT H
FN NO. 08-605 (AJM)
SEPTEMBER 23, 2008
BPI JOB NO. 1487-30.08

DESCRIPTION

OF A 4.871 ACRE TRACT OF LAND OUT OF THE ELISHA ALLEN SURVEY NO. 2, ABSTRACT NO. 18, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING THAT CERTAIN 4.871 ACRE TRACT OF LAND CONVEYED TO TOWER 27, L.P. BY SPECIAL WARRANTY DEED OF RECORD IN DOCUMENT NO. 2006015491, THEREIN DESCRIBED AS "TRACT 2", DATED FEBRUARY 10, 2006 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 4.871 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the easterly right-of-way line of Pecan Park Boulevard (90' R.O.W.) being the southwesterly corner of the remainder of Lot 5, Maconda Park Section 3, a subdivision of record in Cabinet G, Slides 390-392, of the Plat Records of Williamson County, Texas, same being the southwesterly corner of that certain 0.968 acre tract of land conveyed to Tower 27, L.P., by said deed of record in Document No. 2006015491, therein described as "Tract 3", for the northwesterly corner hereof;

THENCE, leaving the easterly right-of-way line of Pecan Park Boulevard, along the southerly line of the remainder of said Lot 5 and said 0.968 acre tract, being the northerly line hereof, the following three (3) courses and distances:

- 1) N79°38'47"E, a distance of 28.74 feet to a 1/2 inch iron rod found for an angle point;
- 2) N88°08'48"E, a distance of 433.04 feet to a 1/2 inch iron rod with "Bury Partners" cap found for an angle point;
- 3) S77°27'27"E, a distance of 254.13 feet to a 1/2 inch iron rod with "Bury Partners" cap found in the westerly right-of-way line of Lake Creek Parkway (120' R.O.W.), for the point of curvature of a non-tangent curve to the right, being the southeasterly corner of said Lot 5 and said 0.968 acre tract, same being the northeasterly corner hereof, from which a 1/2 inch iron rod found for the southeasterly corner of Lot 3, Block A, Maconda Park 620/183, a subdivision of record in Cabinet O, Slides 222-224 bears along a non-tangent curve to the left having a radius of 940.00 feet, a central angle of 02°04'58", an arc length of 34.17 feet, and a chord which bears N24°10'46"E, a distance of 34.17 feet to the end of said non-tangent curve;

THENCE, leaving the southerly line of said Lot 5 and said 0.968 acre tract, along the westerly right-of-way line of Lake Creek Parkway, being the southerly line hereof, the following two (2) courses and distances:

- 1) Along said non-tangent curve to the right having a radius of 940.00 feet, a central angle of 19°09'50", an arc length of 314.40 feet, and a chord which bears S34°48'11"W, a distance of 312.94 feet to a 1/2 inch iron rod with "Bury Partners" cap found for the end of said curve;

- 2) S44°24'51"W, a distance of 258.56 feet to a 1/2 inch iron rod found for the southwesterly corner hereof, being the southeasterly corner of Pecan Park Boulevard, same being the point of curvature of a non-tangent curve to the right;

THENCE, along the easterly right-of-way line of Pecan Park Boulevard, being the westerly line hereof, the following four (4) courses and distances:

- 1) Along said non-tangent curve to the right having a radius of 25.00 feet, a central angle of 89°46'00", an arc length of 39.17 feet, and a chord which bears S89°30'59"W, a distance of 35.28 feet to a 1/2 inch iron rod found at the end of said curve;
- 2) N45°32'48"W, a distance of 88.16 feet to a 1/2 inch iron rod found for the point of curvature of a non-tangent curve to the right;
- 3) Along said non-tangent curve to the right having a radius of 955.00 feet, a central angle of 25°04'32", an arc length of 417.96 feet, and a chord which bears N32°59'20"W, a distance of 414.63 feet to a 1/2 inch iron rod found at the end of said curve;
- 4) N20°31'10"W, a distance of 73.09 feet to the **POINT OF BEGINNING**, containing an area of 4.871 acres (212,166 sq. ft.) of land, more or less, within these metes and bounds

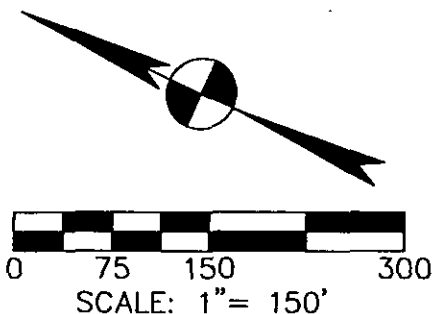
THE BASIS OF BEARINGS OF THIS DESCRIPTION IS A PORTION OF THE EASTERLY LINE OF LOT 1, BLOCK "A", LAKE CREEK SUBDIVISION SECTION 10, LOT 1 OF RECORD IN CABINET L, SLIDES 70-71 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
221 W. SIXTH STREET, SUITE 600
AUSTIN, TEXAS 78701

Mark J. Jezisek 9/23/08
MARK J. JEZISEK DATE
R.P.L.S. NO. 5267
STATE OF TEXAS





CURVE TABLE

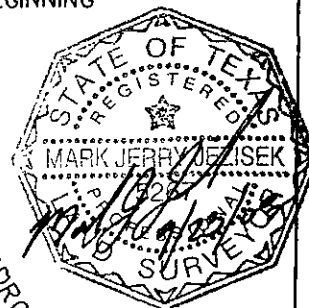
No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	19°09'50"	940.00	314.40	312.94	S34°48'11"W
C2	89°46'00"	25.00	39.17	35.28	S89°30'59"W
C3	25°04'32"	955.00	417.96	414.63	N32°59'20"W
C4	02°04'58"	940.00	34.17	34.17	S24°10'46"W
C5	25°28'02"	420.00	186.68	185.15	S67°35'25"E

LINE TABLE

No.	Bearing	Distance
L1	N45°32'48"W	88.16
L2	N20°31'10"W	73.09'
L3	N79°38'47"E	28.74'

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- P.O.B. POINT OF BEGINNING



LOT 2, BLOCK A
MACONDA PARK 620/183
CAB. O, SLS. 222-224

LOT 3, BLOCK A

4.871 ACRES
(212,166 SQ. FT.)

ZONED - "DR"

TOWER 27, L.P.
DOC. NO. 2006015491

LOT 5
BLOCK "A"

N20°31'10"W
180.65'

30.66'

P.O.B.

PECAN PARK BOULEVARD
(90' R.O.W.)

LOT 3, BLOCK "A"
PARK AT ASPEN LAKE
CAB. EE, SLS. 249-251

LAKE CREEK PARKWAY
(120' R.O.W.)

WOODROW LEE SUBDIVISION
CAB. I, SLIDE 115-117

HYMEADOW DRIVE
(70' R.O.W.)

Bury+Partners
ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 600
Austin, Texas 78701
Tel. (512)328-0011 Fax (512)328-0325
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SKETCH TO ACCOMPANY DESCRIPTION
OF A 4.871 ACRE TRACT OF LAND OUT OF THE ELISHA ALLEN SURVEY NO. 2, ABSTRACT NO. 18, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING THAT CERTAIN 4.871 ACRE TRACT OF LAND CONVEYED TO TOWER 27, L.P. BY SPECIAL WARRANTY DEED OF RECORD IN DOCUMENT NO. 2006015491, THEREIN DESCRIBED AS "TRACT 2", DATED FEBRUARY 10, 2006 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

ASPEN PROPERTIES

**ZONING TRACT
PROPOSED GR-MU**

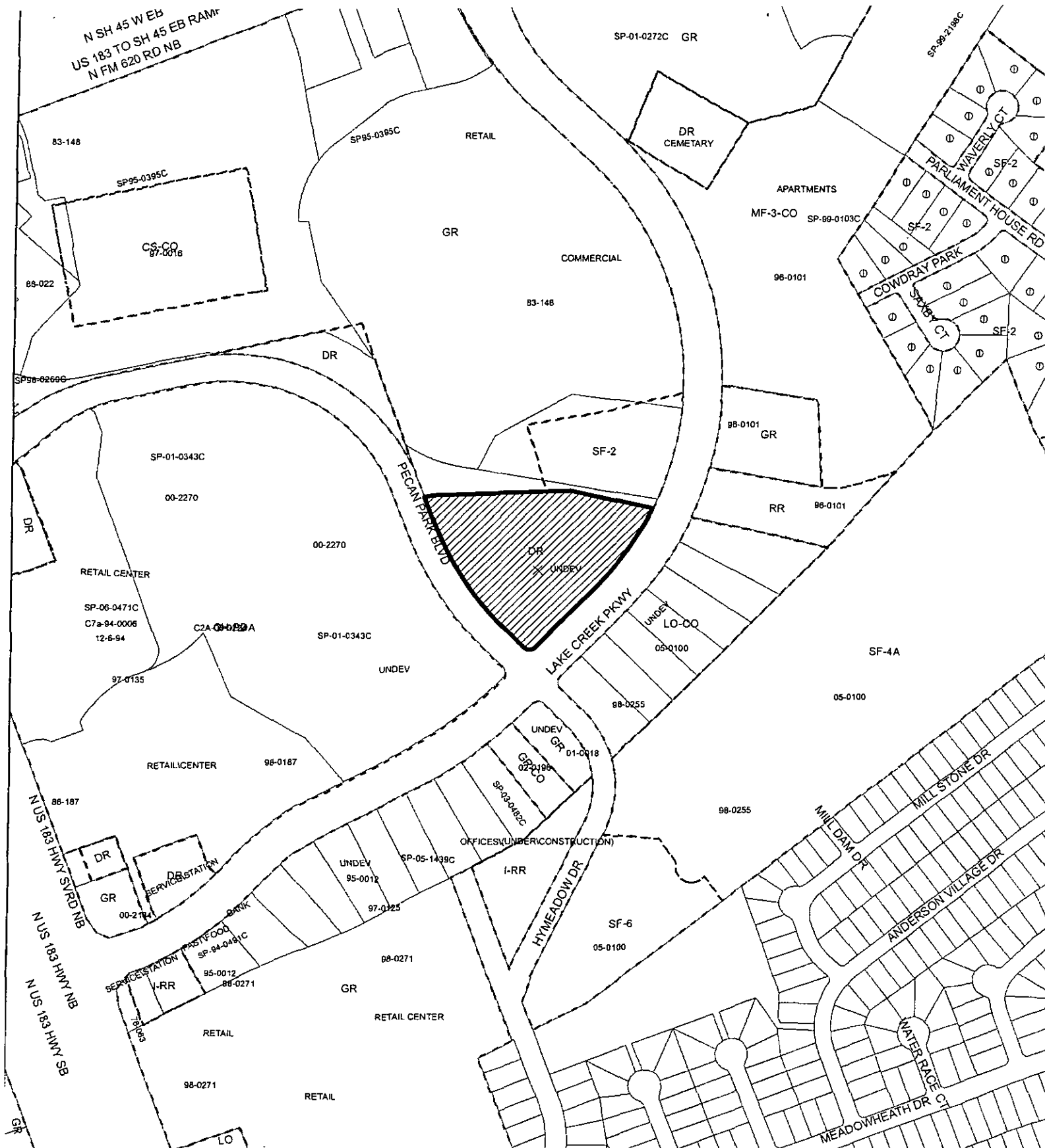
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


FN No.: FN08-605AJM

DRAWN BY: AJM

PROJ. No: 1487-30.08



ZONING **Exhibit B**

-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

ZONING CASE#: **C14-2008-0203**
 ADDRESS: **PECAN PARK BLVD**
 SUBJECT AREA: **4.871 ACRES**
 GRID: **G39**
 MANAGER: **J. RUSTOVEN**

OPERATOR: S. MEEKS

1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

